

14 June 2022

File No: FOI/22/14

Document Ref: DOC/22/40237

Your Ref: 64671

Richard Mclean
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Email: richarddrawsstuff@gmail.com

FOI Request

Thank you for your request made under the *Freedom of Information Act 1982* (Vic) (FOI Act), received by this office on 26 December 2022. I apologise for the delay in responding to you about your application. The notification link between the Department of Justice and Community Safety (the Department) Freedom of Information application portal and the Victorian Ombudsman FOI email address had failed so that our office was not notified of your FOI application at the time when you made your request through the portal. This means your FOI Act request was not actually received by the Victorian Ombudsman until 27 May 2022.

Your request

You seek access to the following documents:

1. anything to do with Rich or Richard McLean or Richard William Mclean in relation to www.richmclean.com.au
2. any complaint any correspondence or internal notes or investigations in particular Dan Andrews sent me to Werribee Mercy triage (mental health) when I needed justice -please send those remarks and notes.
3. Anything to do with my public profile or my relationship with each organisation to other statutory authorities or the federal government:
 - Ambulance Victoria (Transported me)
 - Court Services Victoria (Rejected me)
 - Department of Education and Training (have details on me)
 - Department of Families, Fairness and Housing (I am homeless)
 - Department of Health (They have my medical records)

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- Department of Jobs, Precincts and Regions (please)
- Department of Justice and Community Safety (my records please)
- Department of Premier and Cabinet (I have emailed them and not had a response)
- Department of Transport (I am registered by police as having stolen cars (?))
- Department of Treasury and Finance (I have emailed Josh Frydenberg zero response)
- Greater Western Water
- Office of Public Prosecutions (reported my 'fatal' injury to them was gaslighted)
- Office of the Victorian Information Commissioner (rejected all my FOI's)
- Victoria Police (Told me that the Homicide Squad was investigating my suicide and rejected to act on all crimes I reported)
- Victorian Commission for Gambling and Liquor Regulation (I gambled once)
- Victorian Ombudsman (Ben Calder rejected my 'fatal' injury as 'nothing to see')
- WorkSafe Victoria (WorkSafe refused to help in my compo appeal - Paul Fowler ultimately rejected me what do you know he is a lawyer and former head at WorkSafe now my work cover claim is rejected and awaiting a hearing at the AAT)

My decision

Section 29A of the *Ombudsman Act 1973* (Vic) provides that the FOI Act does not apply to documents, whether in the possession of the Victorian Ombudsman or another body, to the extent the documents disclose information that relates to

- (a) a complaint, a referred complaint, a referred matter or a matter referred to the Ombudsman under section 16 of the Ombudsman Act; or
- (b) an enquiry or investigation conducted under the Ombudsman Act; or
- (c) a recommendation made by the Ombudsman under the Ombudsman Act; or

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(d) a report made under the Ombudsman Act or a draft of a report.

Our office does not have any records relating to you apart from the material in the case files relating to the complaints that you have made to Victorian Ombudsman since 2021. All of the records you are seeking listed in (1) to (3) above relate to your complaint files and relate to your complaint any enquiries made by VO officers with other agencies or departments in relation to those enquiries

As the documents you have requested fall into categories (a) and (b) of section 29A of the Ombudsman Act, being documents relating to complaints or enquiries, the FOI Act does not apply to them. I decline to release them to you outside the FOI Act scheme.

If you have any queries, please contact me at legal@ombudsman.vic.gov.au .

Yours sincerely



Vanessa Twigg

Principal Legal Adviser

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